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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 003709

SIPDIS

STATE FOR EAP/MTS, INR/EAP, AND S/CT
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E.O. 12958: DECL: 08/11/2015

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SUBJECT: GRP BRIEFS DIPLOMATIC CORPS ON REVOCATION OF NDF
IMMUNITIES

REF: A. MANILA 3632

[1](#)B. MANILA 3350 (NOTAL)

Classified By: (U) Political Officer Paul O'Friel
for reasons 1.4(b) and (d).

[1](#)1. (C) SUMMARY. In an effort to rally international backing, senior officials briefed representatives of the Manila diplomatic corps on the GRP's decision to suspend the Joint Agreement on Safety and Immunity Guarantees (JASIG), which provided Communist peace negotiators immunity from arrest and criminal proceedings. The Chair of the GRP's Peace Negotiations Panel, Prof. Nieves Confessor, emphasized the National Democratic Front (the legal negotiating arm of the banned Communist Party of the Philippines/New Peoples Army -- CPP/NPA) had to "stop dribbling" and demonstrate its commitment to peace for talks to resume. In the interim, the GRP intends to pursue local peace initiatives, while keeping Norwegian government mediation channels open. We doubt suspension of the JASIG will entice the NDF/GRP/NPA back to the negotiating table in the immediate future, but the GRP now has a potentially potent weapon to use against Netherlands-based CPP leader Jose Marie Sison, who is facing multiple charges in the Philippines. END SUMMARY.

[1](#)2. (U) On August 9, a panel composed of Secretary of Foreign Affairs Romulo, Presidential Peace Process Advisor Secretary Rene Sarmiento, GRP Peace Negotiating Panel with the NDF Chairwoman Prof. Nieves Confessor, and Human Rights Commissioner Purificacion Quisumbing briefed diplomatic corps representatives on the GRP's August 2 decision to revoke immunity and safe conduct privileges for 97 Communist negotiators (ref A). In his opening statement, Secretary Romulo stressed his government's commitment to finding a solution to the 35-year old conflict, and said the GRP would continue to respect the 1998 Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL).

TIME TO STOP "DRIBBLING"

[1](#)3. (SBU) In a subsequent detailed presentation, which was closed to the press, Confessor emphasized the continuity of GRP negotiation efforts that had spanned twelve years and three presidencies since the start of preliminary talks in the Hague in 1992. Formal negotiations had been interrupted 13 times during that period, with the latest being the NDF's decision to suspend talks in August 2004 on the pretext of the US redesignation of the CPP and NPA as Foreign Terrorist Organizations. Recent statements (ref B) by NDF Panel Chair Luis Jalandoni -- "There is no sense...of talking with this crumbling administration" -- CPP/NPA Spokesman Roger "Ka" Roger -- "We have ended the talks" --, and NDF Chief Political Consultant (and CPP head) Jose Maria Sison -- "It is now time for armed revolution" -- had convinced the GRP that the situation was at an impasse. "Putting it mildly, there is no interest or reason to extend (JASIG) privileges," Confessor stated. She hoped the suspension of the JASIG, which would take effect on September 3, 2005, would convince the NDF to resume talks.

[1](#)4. (SBU) However, Confessor was adamant on the need for the NDF/GRP/NPA to undertake visible and credible steps that would demonstrate a genuine commitment to peace. "It's time to stop dribbling the ball; we want to see outputs on the table," she said. Confessor noted President Arroyo's decision to pursue charter change offered the NDF a real opportunity to engage in a debate on constitutional reform. "I hope they don't miss it," she stated. Confessor said in the interim, the GRP would pursue local peace initiatives, including accelerating reforms, to address the insurgency on the ground, while keeping Norwegian government mediation channels open.

[1](#)5. (C) Both Confessor and Sarmiento noted Utrecht-based Jose Maria Sison, with his assets frozen and his social welfare benefits cut off, was feeling the pinch of US and EU sanctions. Speaking separately to poloff after the end of the briefing, Confessor said Sison had in recent contacts with GRP peace process officials again made lifting the

terrorist designation a quid pro quo to resuming talks. However, Confessor firmly asserted the GRP, while ready to restart negotiations, wanted clear, quantifiable proof the NDF/CPP/NPA was serious about peace.

16. (C) In a conversation later the same day, Commodore Tirso Danga, the Armed Forces of the Philippines (AFP) Deputy Chief of Staff for Intelligence (J2), told poloff the NDF and other Communist front organizations are actively involved in efforts to destabilize President Arroyo. In Danga's view, Sison had overplayed his hand in anticipating the Arroyo government would be replaced by a Council of 15. Under the JASIG, the AFP had "taken it easy" on the CPP/NPA, he commented, without revealing what steps the AFP might take once the suspension of the JASIG went into effect (ref A).

COMMENT

17. (C) While we doubt suspension of the JASIG will bring the Communists back to the negotiating table before September 3, the decision to suspend the JASIG immunities gives the GRP a potentially potent weapon to use against the NDF/CPP/NPA leadership. Confessor indicated she hoped to confer with US and EU partners about potential next steps. One possible move might be to seek Sison's extradition from the Netherlands; although the GRP would have to provide assurances to the Dutch that he would not face the death penalty on his return to the Philippines.

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